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DEC 13 2005 PATENT & TRADEMARK OFFICE	<b>TRANSMITTAL LETTER</b> (General - Patent Pending)	Docket No. 02110051AA
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In Re Application Of: T. Numa

Application No. 09/994,795	Filing Date November 28, 2001	Examiner H. X. Vo	Customer No. 30743	Group Art Unit 2655	Confirmation No. 8391
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Title: DATA INPUT/OUTPUT METHOD AND SYSTEM WITHOUT BEING NOTIFIED

COMMISSIONER FOR PATENTS:

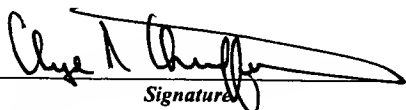
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**PETITION TO REMOVE PREMATURE INDICATION OF FINALITY**

in the above identified application.

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Signature

Dated: December 13, 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

T. Numa

Confirmation No.: 8391

Serial No. : 09/994,795

Group Art Unit: 2655

Filed: November 28, 2001

Examiner: Vo, Huyen X.

For: DATA INPUT/OUTPUT METHOD AND SYSTEM WITHOUT BEING  
NOTIFIEDCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**PETITION TO REMOVE  
PREMATURE INDICATION OF FINALITY**

Sir:

Regarding the office action dated November 23, 2005 which was indicated to be final, Applicant respectfully petitions for removal of the premature indication of finality. The grounds for so petitioning is as follows:

(1) At paragraph 1 of the office action, the Examiner's position is that finality is "necessitated by claim amendment filed 11/22/2004." Applicant's 111 Amendment dated November 22, 2004 is not a legally cognizable reason for the assertion of finality for the November 23, 2005 office action.

(2) The new grounds of rejection that the Examiner now makes in the November 23, 2005 office action could have been made previously, such as in the June 21, 2005 office action or in the April 13, 2005 office action. It is respectfully submitted that there is no legally cognizable basis for making final the present obviousness rejections which are based on art newly cited by the Examiner, and that finality is premature and should be removed.

12/14/2005 SZEWDIE1 00000067 09994795

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130.00 DP

Respectfully submitted,

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